

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

JAN 17 2020

David J. Bradley, Clerk

United States of America

v.

Luis Enrique VAZQUEZ De La CRUZ
YOB: 1995 CITIZENSHIP: MexicoCase No. *11-20-0109-M*

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of January 15, 2020 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

18 U.S.C. § 554

Knowingly and fraudulently smuggled cigarettes from the United States contrary to law.

18 U.S.C. § 2342 (a)(b)

(a) It shall be unlawful for any person knowingly to ship, transport, receive, possess, sell, distribute, or purchase contraband cigarettes or contraband smokeless tobacco.
(b) It shall be unlawful for any person knowingly to make any false statement or representation with respect to the information required by this chapter to be kept in the records of any person who ships, sells, or distributes any quantity of cigarettes in excess of 10,000 in a single transaction.

This criminal complaint is based on these facts:

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

Approved AUSA *Matthew Shoemaker**1/17/20**Matthew Shoemaker*

Complainant's signature

Matthew Shoemaker U.S. HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: *January 17, 2020**8:40 am**Peter Ormsby*

Judge's signature

City and state: McAllen, Texas

Honorable Peter Ormsby U.S. Magistrate Judge

Printed name and title

Attachment A

On January 15, 2020, a Texas Department of Public Safety (DPS) trooper, conducted a traffic stop on tractor trailer that was observed committing a traffic violation. During the traffic stop, the driver of the tractor trailer, identified as Luis Enrique VAZQUEZ De La Cruz, presented DPS troopers with two separate bills of lading, one in English stating the cargo was used cloths, toys, and purses, the other in Spanish stating the cargo was bulk cotton. VAZQUEZ gave DPS consent to search his tractor trailer. During the consensual search, DPS troopers discovered a large quantity of foreign produced cigarettes inside the trailer. After the discovery of the cigarettes, DPS troopers contacted Homeland Security Investigations (HSI) in McAllen, Texas to request assistance with the illegal cigarette smuggling investigation.

On January 15, 2020, an HSI Special Agent (SA) advised VAZQUEZ of his Miranda rights, VAZQUEZ stated he understood his rights and voluntarily waived them orally and in writing. VAZQUEZ made the following non-verbatim statements that have been paraphrased and may not be in the order in which he gave them

VAZQUEZ admitted he had knowledge that it was illegal to export the large quantity of cigarettes, whose value exceeded 10,000 US dollars, into Mexico. VAZQUEZ stated he he was not going to declare the cigarettes to United States (US) Customs and Border Protection at the port of entry. VAZQUEZ stated he had smuggled cigarettes and contraband clothing into Mexico on numerous occasions.

VAZQUEZ stated that during the cigarette smuggling attempt he was being guided by an individual acting as a scout. VAZQUEZ stated the scout was going to guide him from the U.S. to Mexico. VAZQUEZ believed that Mexican customs officials were being paid to not inspect his vehicle. VAZQUEZ stated on previous occasions, after arriving in Mexico, he would be followed by members of a Mexican Drug Trafficking Organization that were responsible for confirming that they had been paid to permit the passage of his vehicle through DTO territory to Camargo, Mexico.

A further inspection of the cigarettes in VAZQUEZ's cargo revealed that a quantity in excess of 10,000 cigarettes bore no evidence of the payment of

Federal or Texas state cigarette taxes. The estimated number of cigarettes found in VAZQUEZ's possession exceeds 17,000,000 cigarettes.